

Summary minutes of the meeting of the Medical Council held in person/virtually on the 6th of December 2022 in the Institute of Chartered Accountants, Dublin 2 and through the Zoom Meeting App at 9.00am.

MEMBERS PRESENT –6th December 2022

Dr Suzanne Crowe (President)
Dr Thomas Crotty (Vice-President)
Ms Vicky Blomfield
Dr Anthony Breslin
Ms Teresa Bulfin
Mr John Gleeson
Ms Marie Culliton
Dr Mary Davoren
Mr Ian Drennan

Prof Paul Finucane
Prof John Hyland
Ms Jill Long
Dr Michael McGloin
Mr Bill Maher
Dr Aoife Mullally
Dr Margaret O'Riordan
Mr Jim O'Sullivan
Prof Edna Roche

APOLOGIES

Mr Paul Harkin
Dr Orla Kelly
Prof Marina Lynch
Prof Joe McMenamin

Mr John Murray
Prof Mary O'Sullivan
Mr Ronan Quirke

In attendance – full meeting

Mr Leo Kearns (CEO)
Mr William Kennedy (Director of Fitness to Practice and Legislative Affairs)
Ms Yvonne Clancy (Interim Head of HR)
Ms Jantze Cotter (Director of Professional Competence, Research & Ethics)
Ms Joanna Holly (Director of Corporate Services & Planning)
Ms Ann Curran (Head of Registration)
Ms Aoife Fitzsimons (Head of Quality Improvement)
Ms Roseanne Fox (Head of Finance)
Mr John Sidebottom (Head of Inquiries, Health and Monitoring)
Ms Lorna Purcell (Head of Corporate Governance)
Ms Fiona Healy (Head of Performance, Professional and ethics)
Ms Beth Bolger (Complaints & Investigations Manager)
Ms Fiona Redmond (Compliance Manager)
Ms Jan Fitzpatrick (Corporate Governance & Council Manager)
Mr Jan Merken (Head of ICT)
Ms Magda Grejc (ICT Systems Administrator)
Ms Mellisa Tierney (Corporate Governance & Council Executive)
Ms Michael Ryan (Corporate Governance & Council Executive)
Ms Gillian Foy (Corporate Governance & Council Executive)
Ms Sarah Howard (Information Governance Officer)

Note – all references to 'the Act' shall be construed as references to the Medical Practitioners Act 2007 unless otherwise stated

CHIME Presentation

Dr Ola Nordrum (HSE), Prof Debbi Stanistreet (RCSI), and Esmerelda Perez (NUI Galway) gave a presentation on Climate and Health in Medical Education to Council. The theme of the presentation was the impact of Climate Change on Human Health, and the role that health care can provide to address the issues. The presentation focused on the inadequacy of the current coverage of climate change in the majority of medical students' curriculum. Council was informed of the aims of CHIME and what they hoped to be able to achieve such as bringing together public health educators from all Irish medical schools and developing a proposed curriculum on planetary health for medical students. Council discussed the barriers they could possibly face and how Council could play their part in assisting CHIME. The President thanked the representatives of CHIME on behalf of the Council, noting that the presentation was rich and thoughtful and had provided Council with a valuable insight into what might be needed in the future.

President's Business

President's Report.

The President gave a high-level overview of her public activities with a variety of stakeholders, including, Professor Laura Viani, President of the RCSI, the Medical Intern Board, and Dr Colm Henry, CCO, HSE and Dr Brian Kinirons, NDTP, HSE among others. The President also attended numerous meetings including the Overprescribing Working Group Meeting, National Patient Safety Conference, and the Women in Medicine Ireland Network

Council noted this report.

CEO's Business

CEO Report

The CEO provided a high-level overview to Council of the CEO's report, covering three sections:

1. Business Plan 2022
2. Business Plan Update 2023
3. Spotlight on Key Areas:
 - a. Update on recruitment to the Complaints & Investigations Directorate
 - b. Appointment of the Director for Fitness to Practice, Ms Mairead Britton Doyle.
 - c. Update on progress of Fitness to Practice case management.
4. Strategy Risk Register
5. Update on the ICT Directorate including:
 - a. Building and stabilising the ICT Team
 - b. Strategic IT leadership, cybersecurity and infrastructure management
 - c. Due Diligence review of PRISM, including the development of the digital strategy

Ms Yvonne Clancy, Head of Human Resources, provided an update to Council on the following:

1. Headcount Overview,
2. The Workforce Plan Recruitment Project,
3. Absence Ratio,
4. Employee Engagement Activity,
5. Training Activity.
6. Staff turnover and the plans to address attrition risk.

Intern Year

This matter was presented by the President. Council was requested to approve the proposed approach to developing a single governance body for intern training in Ireland. Council was informed, as outlined in the Gallen Report, there is no single national body responsible for intern training. Council was informed that the intern year is a critical year where students move from being undergraduates to doctors in training with clinical responsibilities to patients; this situation presents unnecessary and unacceptable risks to patient safety and to the welfare of interns.

Council was advised that given the long-standing difficulties there have been in reaching satisfactory consensus in relation to the intern year, careful consideration has been given to the most effective way of moving forward, as outlined in the memo to Council.

Council was then informed that six Irish Medical schools will be asked to propose a governance and operational model for intern training which addresses key requirements set out by Council and what the proposal should include.

Having considered the matter carefully, Council decided, to approve the proposed approach to developing a single governance body for intern training in Ireland.

Procurement

The CEO and Ms O'Rourke presented two procurement proposals to Council, as set out in the accompanying memos.

1. Organisation Design – Contract for an External Consultancy Firm
2. External Qualitative Review of Intern Training Posts – Contract for an External Consultancy Firm

A number of queries arose regarding the information contained in the memos and it was decided to defer consideration of these matters until the following day pending further information being obtained and circulated by the Executive.

Committee Reports

Registration & Continuing Practice Committee

Appointment of Performance Assessor.

This matter was presented to Council by Ms Healy. Council was requested to consider and approve the appointment of Professor Sam Coulter Smith, Registration Number: 011839, as performance assessor (pursuant to s.91(1) of the Medical Practitioners Act 2007 (as amended) and Statutory Instrument 741/2011). Council was informed that the appointment was subject also to the nominee's acceptance of the standard terms of appointment as are outlined in the standard letter of appointment and to completion of assessor training.

Audit & Risk Committee

The Report of the Audit & Risk Committee meeting on 28th November 2022 was presented to Council. Council was advised that there were no matters for decision and a number of items for noting:

1. Risk Management
2. Q3 2022 Management Accounts
3. Investment Performance YTD 2022 – Davy Update
4. Internal Audit Report

Council noted the contents of the report.

Risk Report from the CRO.

This matter was presented by Ms Redmond, Chief Risk Officer, to Council. Ms Redmond presented the following to Council:

1. A high-level comparison of the Q4 2021 and Q4 2022 risks, in various categories.
2. The development of the Risk Framework 2023.
3. The distribution of Red Risks by Department and by category.
4. The distribution of Red Risks by theme and a comparison of Q4 2022 with the 3 preceding reports.

Council approved the Risk Report December 2022.

Governance & Best Practice

Corporate Governance Report – December 2022

Ms Fitzpatrick and Ms Purcell presented the Corporate Governance Report for December 2022 to Council. Council was provided an overview of the following:

1. Governance Calendar update – December 2022
2. Committee Terms of Reference Review
3. New process for the Appraisal of Chairs

Ms Purcell also gave an update on the Council Changeover in 2023:

1. Determining interest for re-appointment to Council.
2. Ongoing communication with the Dept of Health
3. Identification of a Returning Officer, Mr Fergus Gallagher, to oversee the Council Elections

Council was then requested to approve the appointment of Mr Fergus Gallagher (Dublin County Returning Officer) as Returning Officer for the purpose of the 2023 Medical Council elections. Having considered the matter carefully, Council decided to approve the Appointment of Mr Fergus Gallagher (Dublin County Returning Officer) as Returning Officer for the purpose of the 2023 Medical Council elections.

Committee Appointment duration

Ms Fitzpatrick presented this item to Council. Council was informed of the background regarding the Committee Appointment Duration.

Council was requested to consider the proposal below and approve a revised duration of appointment to the Preliminary Proceedings Committee (PPC), the Fitness to Practise Committee (FtPC). The remaining committees of Council would maintain the three-year term:

1. The three-year term, with a possible additional three-year term, is maintained for all Committees other than PPC & FtPC, for both Council and External Members.
2. For PPC & FtPC, the duration of appointment to these Committees, for both Council and External Members, would reflect the Council term.

An example was given to Council, where overall the maximum duration on Council and PPC/FtPC would be 8 years. Council was informed that the Minister for Health has not confirmed if this will be the maximum duration, however it is likely to maintain compliance with the Code of Practise for the Governance of State Bodies, 2016.

Having considered the matter carefully, Council decided to approve the revised duration of appointment to the PPC & FtPC.

Information Governance Update

Ms Howard presented the Information Governance update to Council, including the following:

1. Data on the number and type of Freedom of Information (FOI) requests received in 2022
2. Data on the number and type of requests made under the Data Protection Act 2018
3. Number and description of Data Breaches and Incidents in 2022.
4. Data Protection Commissioner (DPC) Investigations and Findings – 2022 to date
5. Data Protection Internal Audit Overview – conducted by Crowleys DFK

Council noted the content of the Information Governance Report – December 2022

Committees

Committee Reports and Terms of Reference Review

The President presented the Committee Reports and ToR Review to Council.

Council was advised that the Chairs and Secretaries of the Committees were requested to undertake a review of the Terms of Reference of the Committees and to plan appropriately for the coming year and input into the Business Plan and Budget 2023.

The President then advised Council the results of these Desktop Reviews were available in the accompanying report.

Council noted the Committee Reviews and the President thanked all concerned for their ongoing work.

Any other Business

No other business was raised.

There being no further business, the meeting concluded at 14:55pm